

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AEDES DE VENUSTAS, INC.,

Plaintiff,

vs.

VENUSTAS INTERNATIONAL, LLC,

Defendant.

07 Civ. 04530 (LTS) (THK)

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**DECLARATION OF ROBERT GERSTNER IN OPPOSITION TO
DEFENDANT'S MOTION TO STRIKE CERTAIN EXHIBITS**

ROBERT GERSTNER, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am over the age of 18 and make this declaration in opposition to the defendant's motion to strike certain exhibits that were attached to my declaration in further support of plaintiff's motion for injunctive relief as well as certain portions of the declaration. Except for those matters set forth on information and belief, I make this declaration of my own knowledge and could and would testify as to the matters set forth below if called upon to do so.

2. I am the Vice-President of the Plaintiff, Aedes De Venustas, Inc., a New York corporation with its principal place of business at 9 Christopher St, New York, New York 10014. Aedes De Venustas, Inc. I am personally responsible for the business operations of the company including its record retention and filing system.

3. In 2006, Plaintiff's president, Karl Bradl, applied to the United States Immigration and Naturalization Service (the "INS") for lawful permanent residence, otherwise known as a "green card."

4. Because Mr. Bradl is such an essential part of the company, his

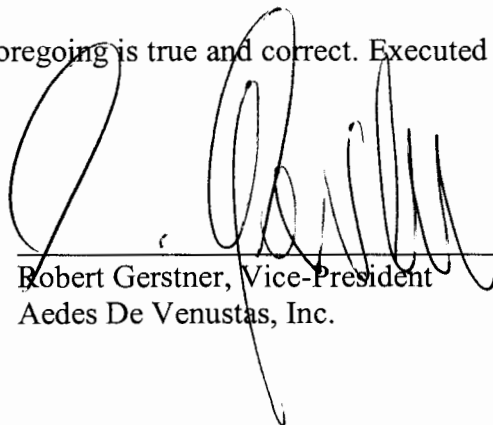
immigration status was of the highest concern to the company. Accordingly, the company, as part of its regular business practice, assisted him with his application, monitored his application status and obtained and kept in its records the letters written to the Immigration and Naturalization Service ("INS") on Mr. Bradl's behalf by various members of the beauty and fashion industry.

5. The letters attached as exhibits B and D to my declaration in further support of plaintiff's motion for injunctive relief are true and accurate copies of the letters kept in the plaintiff's files.

6. None of the letters that were written to the INS on Mr. Bradl's behalf were created in contemplation of the present or any other litigation. Rather, they were written in connection with Mr. Bradl's application for a "green card." Accordingly, I believe that these letters are inherently trustworthy.

7. In addition to the letters obtained from the INS, Exhibit D includes a letter written to me by Kerrilynn Pamer of Castor & Pollux. That letter relates to a project that the plaintiff is about to undertake for Castor & Pollux and it was kept in the ordinary course of business by the plaintiff.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 29, 2007.



Robert Gerstner, Vice-President
Aedes De Venustas, Inc.